

112TH CONGRESS
1ST SESSION

H. CON. RES. 44

Calling for an independent international investigation of the April 10, 2010, plane crash that killed President of Poland Lech Kaczynski and 95 other individuals.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2011

Mr. KING of New York (for himself and Mr. MCCOTTER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Calling for an independent international investigation of the April 10, 2010, plane crash that killed President of Poland Lech Kaczynski and 95 other individuals.

Whereas, on April 10, 2010, an airplane carrying President of Poland Lech Kaczynski crashed near Smolensk, Russia, killing everyone onboard;

Whereas the individuals onboard the airplane included President Lech Kaczynski and his wife, Maria Kaczynski, the chief of the Polish General Staff, senior Polish military officers, the Deputy Foreign Minister of Poland, 12 members of the Parliament of Poland, the president of the National Bank of Poland, senior members of the Polish clergy, and relatives of victims of the Katyn massacre;

Whereas President Lech Kaczynski and passengers were traveling to attend a ceremony commemorating the 70th anniversary of the Katyn Massacre to honor the 22,000 Polish officers killed at Katyn by the Soviet Secret Police in 1940 when the plane crashed just six miles from Katyn;

Whereas, on April 10, 2010, President of Russia Dmitry Medvedev ordered the establishment of a State Commission headed by Russian Prime Minister Vladimir Putin to investigate the circumstances of the disaster;

Whereas Prime Minister Vladimir Putin delegated supervision to Tatyana Anodina, Chairwoman of the Interstate Aviation Committee in Russia, to investigate the circumstances of the crash;

Whereas Alexei Morozov was designated as head of the Interstate Aviation Committee's technical commission;

Whereas Edmund Klich, the head of the State Commission for Aircraft Accident Investigations in Poland, was put in charge of the Polish investigative committee;

Whereas, on May 19, 2010, the Russian Interstate Aviation Committee released preliminary reports that the plane did not suffer from any mechanical failures and ruled out a terrorist attack, explosion, or fire;

Whereas Russian investigators in preliminary reports stated that the crash was the fault of the Polish pilots who did not listen to air traffic controllers;

Whereas Polish investigators released preliminary reports concluding that the crash was the fault of the air traffic controllers who gave delayed commands to the pilots;

Whereas only the transcripts of flight recorders have been given to Polish investigators;

Whereas the black boxes have not been handed over to Polish investigators;

Whereas, on January 12, 2011, the Russian Interstate Aviation Committee released its final report concluding that pilot error was the cause of the crash and dignitaries on the plane pressured the pilots to land;

Whereas the Interstate Aviation Committee's final report did not include any information regarding actions of Russian air traffic controllers communicating with the plane;

Whereas requests for certain additional information by Polish investigators have been denied;

Whereas, on January 12, 2011, Tatyana Anodina, Chairwoman of the Interstate Aviation Committee, stated that Russia is prepared to provide results of its final report to an international investigation or auditors if necessary;

Whereas, on January 13, 2011, Prime Minister Donald Tusk of Poland called for intervention by international institutions in the event authorities from Poland and Russia cannot produce a report that satisfies both sides;

Whereas, according to the Convention on International Civil Aviation, signed at Chicago December 7, 1944 (also known as the "Chicago Convention"), if one country does not agree with an aviation disaster report drafted by another country, they may meet to reach consensus on the matter; and

Whereas over 300,000 Poles have signed a petition calling for an international investigation: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That Congress calls for an independent inter-

- 1 national investigation of the April 10, 2010, plane crash
- 2 near Smolensk, Russia.

